

UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF NEW YORK

USDC SDNY
DOCUMENT
ELECTRONICALLY FILED
DOC #:
DATE FILED: 10/18/2021

GAIL D. BECKLES, individually and on behalf of all other persons similarly situated,

Plaintiff,

-against-

LIFESPHERE, INC., THOMAS LYDON, and JOHN DOES #1–10,

Defendants.

1:21-cv-2447-MKV

ORDER

MARY KAY VYSKOCIL, United States District Judge:

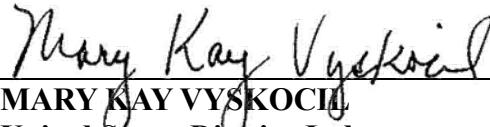
On September 15, 2021, Plaintiff informed the Court that this case had been settled and submitted a letter and documentation supporting the fairness of the settlement. (Letter Seeking Approval of FLSA Settlement (Settlement Agreement) [ECF No. 15]). Though this action was framed as a collective action on behalf of Defendants' current and former employees, (Complaint [ECF No. 1] ¶¶ 2–6), Plaintiff made no efforts to certify a class or collective either preliminarily for the purposes of discovery or in connection with the settlement. The Settlement Letter makes clear that the Parties' settlement resolves only the claims of the named Plaintiff and does not purport to impact claims that may be held by any other of Defendants' current or former employees. (See Settlement Agreement, Ex. A (Executed Settlement Agreement) [ECF No. 15-1]).

The Court has reviewed the Plaintiff's submission for fairness in accordance with the FLSA and Second Circuit law, *see, e.g., Cheeks v. Freeport Pancake House*, 796 F.3d 199 (2d Cir. 2015), and has concluded that the terms of the settlement are fair and reasonable. It should be noted, however, that the Court is not in this endorsement opining specifically on the reasonableness of the rates charged by the attorney representing Plaintiff.

Accordingly, the settlement is approved, and the Court ORDERS that the case be dismissed with prejudice. The Clerk of Court is respectfully requested to terminate all pending motions, adjourn any remaining dates, and close this case.

SO ORDERED.

Date: October 18, 2021
New York, NY



MARY KAY VYSKOCIL
United States District Judge